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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/085,187

Filing Date

February 27, 2002

First Named Inventor

Joseph A. Kwak

Art Unit

2616

Examiner Name

Ryman, Daniel J.

Attorney Docket Number

I-2-0203.4US

**ENCLOSURES** (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form PTO-1449, Copy of European Search Report, and Six References Cited.
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

VOLPE AND KOENIG, P.C.

Signature

Printed name

Thomas A. Mattioli

Date

November 28, 2006

Reg. No.

56,773

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Thomas A. Mattioli

Date

November 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Joseph A. Kwak

**Application No.:** 10/085,187

**Confirmation No.:** 3548

**Filed:** February 27, 2002

**For:** METHOD FOR PHYSICAL LAYER  
AUTOMATIC REPEAT REQUEST FOR A  
SUBSCRIBER UNIT

**Group:** 2616

**Examiner:** Ryman, Daniel J.

**Our File:** I-2-0203.4US

**Date:** November 28, 2006

### INFORMATION DISCLOSURE STATEMENT INCLUDING RULE 1.704(d) STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicant wishes to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Newly cited documents are indicated by an asterisk (\*). Copies of the cited documents are enclosed.

Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned certifies that each new item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, copy enclosed, and that this communication was not received by any individual designated in §1.56(c) more than three (3) months prior to the filing of this Information Disclosure Statement.

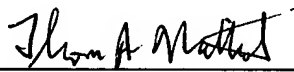
Pursuant to 37 C.F.R. § 1.704(d), the undersigned certifies that each new item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, copy enclosed, and that this communication was not received by any individual designated in § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

The source of the newly identified items of information is the enclosed communication from a foreign patent office in a counterpart application, dated November 3, 2006.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Joseph A. Kwak

By   
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TAM/akg  
Enclosures ( 8 )



<b>FORM PTO-1449</b>  <b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)				<b>ATTY. DOCKET NO.</b> I-2-0203.3US		<b>SERIAL NO.</b> 10/085,203	
				<b>APPLICANT</b> Joseph A. Kwak			
				<b>FILING DATE</b> February 27, 2002		<b>GROUP</b> 2662	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,912,705	03/1990	Paneth et al.			
		5,101,406	03/1992	Messenger			
		5,280,498	01/1994	Tymes et al.			
		5,345,439	09/1994	Marston			
		5,345,600	09/1994	Davidson			
		5,351,016	09/1994	Dent			
		5,544,196	08/1996	Tiedemann, Jr. et al.			
		5,570,369	10/1996	Jokinen			
		5,648,969	07/1997	Pasternak et al.			
		5,657,325	08/1997	Lou et al.			
		5,715,260	02/1998	Black et al.			
		5,729,557	03/1998	Gardner et al.			
		5,828,677	10/1998	Sayeed et al.			
		5,838,267	11/1998	Wang et al.			
		5,918,156	06/1999	Tanabe			
		5,946,320	08/1999	Decker			
		5,956,624	09/1999	Hunsinger et al.			
		5,982,760	11/1999	Chen			
		5,983,382	11/1999	Pauls			
		5,983,383	11/1999	Wolf			
		5,983,384	11/1999	Ross			
		6,021,124	02/2000	Haartsen			
		6,049,549	04/2000	Ganz et al.			
		6,064,692	05/2000	Chow			
		6,128,276	10/2000	Agee			
		6,130,918	10/2000	Humphrey et al			

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)				ATTY. DOCKET NO. I-2-0203.3US		SERIAL NO. 10/085,203	
				APPLICANT Joseph A. Kwak			
				FILING DATE February 27, 2002		GROUP 2662	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,134,694	10/2000	Uebayashi et al.			
		6,138,260	10/2000	Ketseoglou			
		6,145,108	11/2000	Ketseoglou			
		6,154,489	11/2000	Kleider et al.			
		6,189,123	02/2001	Anders Nystrom et al.			
		6,208,663	03/2001	Schramm et al.			
		6,212,240	04/2001	Scheibel, Jr. et al.			
		6,212,659	04/2001	Zehavi			
		6,233,711	05/2001	Murayama et al.			
		6,262,994	07/2001	Dirschedl et al.			
		6,272,183	08/2001	Berens et al.			
		6,275,488	08/2001	Cudak et al.			
		6,289,003	09/2001	Raitola et al.			
		6,308,294	10/2001	Ghosh et al.			
		6,317,418	11/2001	Raitola et al.			
		6,359,877	03/2002	Rathonyi et al.			
		2002/0037058	03/2002	Birru			
		6,366,601	04/2002	Ghosh et al.			
		6,370,669	04/2002	Eroz et al.			
		2002/0064167	05/2002	Khan et al.			
		6,449,246	09/2002	Barton et al.			
		6,470,391	10/2002	Takamoto et al.			
		2002/0191544	12/2002	Cheng et al.			
		6,522,650	02/2003	Yonge et al.			
		2003/0039226	02/2003	Kwak			

EXAMINER	DATE CONSIDERED
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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,529,561	03/2003	Sipola			
		6,587,985	07/2003	Fukushima et al.			
		6,647,076	11/2003	Schenk et al.			
		6,735,180	05/2004	Malkamaki et al.			
		6,760,860	07/2004	Fong et al.			
		6,931,569	08/2005	Fong et al.			
		2002/0034182	02/2002	Mallory			

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		1275279	02/1999	CN <sup>1</sup>			X	
		1277766	12/2000	CN <sup>2</sup>				X
		1132772	01/2004	CN				
		07-336331	12/2005	JP			X**	
		2000-507777	06/2000	JP				X
		2001-103034	04/2001	JP			X**	
		2003/0004618	01/2003	KR				x
		97118086	07/1999	RU				
		2179370	02/2002	RU				
		2195768	12/2002	RU				
		2195089	12/2002	RU				
		2001126714	07/2003	RU				
		2210864	08/2003	RU				
		2002101733	08/2003	RU				

<sup>1</sup> corresponds to WO 99/09698    <sup>2</sup> corresponds to WO 99/12303  
 \*\* Abstract Only

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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				APPLICANT Joseph A. Kwak			
				FILING DATE February 27, 2002		GROUP 2662	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
		2221338	01/2004	RU			
		2221339	01/2004	RU			
		2235432	08/2004	RU			
	*	0797327	09/1997	EP			
	*	0859475	08/1998	EP			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		"Hybrid ARQ Methods for FDD in Release in 2000," TSG-RAN Working Group 1 Meeting #14, Oulu, Finland, July 4-7, 2000.					
		"Physical Layer Aspects of UTRA High Speed Downlink Packet Access," 3GPP TR 25.848 V4.0.0 (2001-03), pp. 1-89.					
		Rohling, Hermann et al. "Performance Comparison of Different Multiple Access Schemes for the Downlink of an OFDM Communication System", 1997 IEEE 47 <sup>th</sup> Vehicular Technology Conference, May 1997, vol. 3, p. 1368.					
		3GPP TR 25.848 V4.0.0 (2001-03), 3 <sup>rd</sup> Generation Partnership Project; Technical Specification Group Radio Access Network; Physical layer aspects of UTRA High Speed Downlink Packet Access (Release 4), p. 50.					
	*	Eriksson et al. "Comparison of Link Quality Control Strategies for Packet Data Services in EDGE." Vehicular Technology Conference, 1999 IEEE. May 16, 1999, pp. 938-942.					
	*	Sayeed, "Throughput Analysis and Design of Fixed and Adaptive ARQ/Diversity Systems for Slow Fading Channels." Global Telecommunications Conference, 1998. November 8, 1998, pp. 3686-3691.					
	*	Shiozaki et al. "A Hybrid ARQ Scheme With Adaptive Forward Error Correction for Satellite Communications." IEEE Transactions on Communications, April 1, 1991, pp. 482-484.					
	*	Bakhtiyari et al. "Practical Implementation of a Mobile Data Link Protocol With A Type II Hybrid ARQ Scheme and Code Combining." Personal Communication – Freedom Through Wireless Technology. Proceedings of the Vehicular Technology Conference, May 18, 1993, pp. 774-777.					
EXAMINER				DATE CONSIDERED			

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